

not
DOCUMENT 6912

OPENING STATEMENT.

SUBJECT: AGGRESSION AGAINST THE NETHERLANDS

PRESENTED BY: Maj. Gen. W.G.F. BORGERHOFF MULDER
Associate Counsel for The Netherlands.

ASSOCIATES: MR. G. OSMOND HYDE
Lt. Col. J. S. SINNINGHE DAMSTE
MR. A. T. LAVERGE
MRS. C. R. STROOKER

INTERNATIONAL PROSECUTION SECTION,
NOVEMBER 1946,
TOKYO, JAPAN.

Mr. President and Members of the Tribunal:

The subject of this phase of the case is the Japanese aggression against the Netherlands. The evidence to be presented will relate more especially to Counts 1, 4, 5, 14 and 32 of the Indictment, and will substantiate charges set forth in the remaining Counts. It will elaborate on and prove the allegations made in Section 10 of Appendix A of the Indictment.

It will be shown how Japan, when at the end of the 1930s a speedy conclusion of the war in China seemed improbable, gradually turned her thoughts to an expansion southward and to the acquisition of the southern territories, rich in mineral resources and agricultural products; how this idea gradually took shape in the minds of the Japanese War Leaders and how with the outbreak of the Second World War this idea took concrete form. We will show how after Germany's victories in Western Europe these plans were put into execution, through negotiations with Germany, through a Japanese advance into Indochina and through the exertion of pressure and threats on the so-called "orphaned" Netherlands Indies. We shall further show that at the same time a military expansion southward was planned in case the attempt at peaceful domination should fail; that when the Netherlands East Indies would not yield to Japanese pressure, aggression and military conquest were decided upon, and that the Japanese southward

advance into the Netherlands Indies and surrounding territory was one of the main motives for the Japanese aggression in the Pacific in December 1941. Lastly, it will be shown how after a ruthless war of aggression, and after the military occupation of almost the entire Netherlands Indies, previously prepared plans to bring these territories under the hegemony of Japan and to accomplish their virtual annexation, were put into execution, and how this policy to assure for Japan the future domination of the whole Southern Pacific, and to construct a new Japanese Empire, was pursued until the final Japanese surrender in August 1945.

The evidence to be presented in order that it may be fully comprehended and understood in its proper perspective, must be viewed in the light of the centuries of amicable relations that had existed between Japan and the Netherlands.

Some of the evidence relating to these facts has already been introduced in earlier phases of the case. As the Japanese aggression against the Netherlands formed an integral part of the overall Japanese aggression, of which other phases have already been presented to the Court, this is of course inevitable. The negotiations with Germany and the results obtained therefrom, the military and economic preparations for the advance southward, the securing of bases in French Indochina and the construction of military bases in the Mandated Islands, as a prelude to further aggression, and the general decisions leading up to the final aggression in

December 1941, have already been dealt with by others. Only when necessary for full comprehension will the evidence relating to these subjects be brought to the attention of the Court to place the further facts which we intend to prove in their proper light and to present to the Tribunal a complete picture of the Japanese aggression against the Netherlands. More specifically the evidence to be presented will disclose the following facts:

1. Treaties and assurances binding Japan to respect the integrity of Netherlands territory:

By the Treaty concluded on 13 December 1921, the United States, Great Britain, France and Japan undertook to respect each other's rights in respect of their insular possessions and dominions in the Pacific Ocean and to settle all differences arising among themselves on this subject by peaceful means only. The Netherlands was not among the signatories to this Treaty, but on 4 February 1922 a solemn declaration was issued by each of the contracting governments that the rights of the Netherlands in relation to its insular possessions in the Pacific Ocean would be respected. The communications thus addressed to the Netherlands Government by the four governments concerned were word for word identical, and each of them was therefore bound in the same way to respect the territorial integrity of the Netherlands Indies.

No indication was ever given that Japan no longer deemed herself bound by this Pact. On the contrary, in the

final years preceding the Japanese aggression toward the south, the Japanese Government, while planning and preparing this aggression, repeatedly declared that Japan's intentions were wholly peaceful and on various occasions reiterated its assurances not to attack the Netherlands Indies.

On April 15, 1940 and again on May 11, 1940, one day after the Netherlands became involved in the war with Germany, the Japanese Foreign Minister ARITA stated publicly that the Japanese Government was deeply concerned about any development that might affect the status quo of the Netherlands Indies, and that his government was desirous that this status quo be maintained. Official notice of this statement was given to the United States, British and French Governments, the other parties to the Four Power Pact, which caused them in their turn to make similar declarations and to reaffirm their resolve to continue to respect the integrity of Netherlands territory in the Pacific Ocean.

On May 16, 1940 the Japanese Ambassador in Washington, in a conversation with the American Secretary of State, repeated that his government was entirely satisfied with the situation, following the declaration to respect the status quo of the Netherlands Indies by each of the four governments interested, and that there was no purpose in raising any further controversy in this connection.

Almost a year later, on March 4, 1941, Foreign Minister MATSUOKA, then on his way to Germany to confer

with the German leaders and to discuss with them Japan's participation in the war, stated emphatically to the American Ambassador in Moscow, that under no circumstances would Japan attack any of the American, British or Dutch possessions and insisted that Japan had no territorial ambitions whatsoever.

2. Development of Japanese Policy regarding southward expansion:

While it was thus the professed policy of Japan to maintain peaceful relations with the Netherlands, a new actual policy was being conceived, which was directly opposed to her official assurances.

In November 1938 the First Konoye Cabinet, which was then in power, and of which at that time the accused, ARAKI, ITAGAKI and KIDO were members, issued the official declaration that the ultimate aim of Imperial Japan was the establishment of a New Order throughout East Asia. Although it was not stated which countries were supposed to be included within this Sphere of the New Order and the southern regions were not then mentioned by name, Japanese propagandists, such as the accused HASHIMOTO, had for some time in books and speeches advocated Japanese expansion to the south.

With the outbreak of the war in Europe, however, Japan, foiled in her attempts to bring the war in China to a successful conclusion and judging the moment opportune, grasped at the possibility for southward expansion.

In a conversation with the German Foreign Minister in September 1939, Ambassador OSFIMA gave as his opinion that Japan, especially the Japanese Navy, was ready for an advance in Southeast Asia and Count TERAUCHI, who was then visiting Germany, stated that he considered an advance to the south preferable to a continuation of the war in China. It was not until April 1940, however, when Foreign Minister ARITA, in his statement that Japan desired the maintenance of the status quo in the Netherlands Indies, declared that Japan was closely bound to the Netherlands Indies through a relationship of mutuality and inter-dependence, that the Netherlands Indies were first officially included, although by implication only, within the Japanese Sphere for a New Order.

Immediately after the occupation of the Netherlands by Germany in May 1940, the Japanese Government sought for a declaration by Germany on her attitude toward the Netherlands Indies. After the German Ambassador, on orders from his government, had declared that Germany was not interested in this question, he was able to report that this declaration of German lack of interest was considered a 'carte blanche' for Japan. Nevertheless on 24 June 1940 the Minister of Overseas Affairs, the accused KOISO, inquired again what Germany's attitude would be to military activity by Japan in French Indochina and the Netherlands Indies. Germany's position came once more under discussion at the joint

conference between Army, Navy and Foreign Office representatives on 12 and 16 July, 1940 on the strengthening of Japanese-German relations. It was resolved that Germany would have to recognize that the Southseas formed part of the area in which Japan would establish her New Order and over which Japan would exercise political leadership to the exclusion of all others.

While these negotiations with Germany were going on, the Japanese Government was approached by the American Ambassador with a proposal for a Treaty to guarantee once more the status quo in the Pacific. The proposal was rejected as it was considered that Japan wanted to keep her hands free in regard to the southern regions, especially the Netherlands Indies.

On 22 July 1940 the Second Konoye Cabinet came into office, of which the accused YOSHINO, TOJO, and at a later stage also the accused FIRANUMA and SUZUKI were members. A Cabinet decision on 26 July 1940, which a few days later was published as an official Japanese Government declaration, affirmed that the first and fundamental aim of Japan's national policy would be the construction of a New Order in Greater East Asia, with Japan, China and Manchukuo as the center.

That at this time Japan definitely included the whole of the southern regions in her Sphere of a New Order is clear from the official declaration made by Foreign

Minister MATSUOKA to the Privy Council on the occasion of the conclusion of the Tri-partite Pact in September 1940. Greater East Asia, including the southern regions, would be the area of future Japanese domination. Japan's economy was to be planned with a view to this ultimate objective and, as will presently be shown, these plans were immediately reflected in Japan's economic demands on the Netherlands Indies.

Although at this time definite plans for a military conquest of the southern regions seem as yet to have been vague, such a military conquest was certainly already envisaged. I mentioned earlier the accused KOISO's inquiry as to Germany's attitude to military activity by Japan towards the south. Two months later, in August 1940, the Chief of the Naval General Staff gave as his opinion that an immediate military operation in the south was impossible and, as it would take at least eight months to get ready, the longer the war was postponed the better. A comprehensive plan dated September 1940 and found in the files of the Japanese Government deals with the establishment of the Greater East Asia Co-prosperity Sphere, either through peaceful means by making Japan the mediator in the present World War, or through military conquest. This latter part of the plan goes into some detail as to how to achieve a military conquest of the Netherlands Indies, without too great damage being caused to its natural resources and

industrial equipment, and how to make the Netherlands Indies a puppet state in Japan's Sphere through the stirring up of an independence movement and the establishment of a new constitution. A similar policy was to be followed in all other southern regions from Burma to the Philippines. Furthermore, in October 1940 the accused OSHIMA, commenting on the Tri-partite Pact, evaluated it as the final clear recognition of Japan's mission in the South and urged that Japan should be prepared to overcome by any means the obstacles which would be placed in her way.

In January 1941 in a speech before the Diet, Foreign Minister MATSUOKA for the first time asserted publicly that the Netherlands Indies formed a part of Japan's Greater East Asia Co-prosperity Sphere and sent out instructions that in no case should official statements deny that the Netherlands Indies formed part of Japan's Co-prosperity Sphere. From this time onward, although, as I will relate presently, the efforts to make the Netherlands Indies yield to Japanese demands for peaceful penetration continued until the middle of 1941, the concept of military expansion gradually took more definite form.

In February 1941 Foreign Minister MATSUOKA stated that he would like to make peace with China so as to concentrate Japan's whole energy on the

main question now facing Japan, the solution of the southern problem. The same month the German Foreign Minister discussed the reconstruction of Europe and East Asia after the war with the accused OSHIMA, and the same subject came up for discussion on the occasion of MATSUOKA's visit to Berlin - the Japanese Government apparently being anxious to make Japan the intermediary in all of Germany's future relations with countries within the Co-prosperity Sphere. A further point arising during MATSUOKA's discussion in Germany was how to acquire the oil fields in the Netherlands Indies intact, which problem would have to be considered in planning the military operation.

At the Liaison Conference between the Government and Imperial Headquarters on 25 June 1941 it was decided that, the Netherlands Indies having refused to yield to the Japanese demands, Japan would have to occupy the southern part of French Indochina to establish air and naval bases for a further advance to the south.

The Imperial Conference on 2 July 1941 decided that Japan would under all circumstances adhere to the principle of establishing a Greater East Asia Co-prosperity Sphere, hasten her southward advance, and remove all obstacles for the achievement of that purpose.

In the second half of July the occupation of the whole of French Indochina was effected with the aim to

launch from there a rapid attack southward as soon as the situation would be opportune.

3. Direct relations and negotiations between the Netherlands and Japan in 1940 and 1941:

Until the beginning of the year 1940 the relations between Japan and the Netherlands, at least on the surface, were friendly. Japan's share in the economic relations of the Netherlands Indies with other countries was comparatively small and these relations were governed by the usual "Most Favored Nation Clause", which prevents any discrimination. Moreover, by a Treaty of Judicial Settlement, Arbitration and Conciliation, concluded between Japan and the Netherlands in 1933, both countries were bound not to seek settlement of disputes of any character which might arise between them by other than pacific means. This Treaty which came into effect for five years when ratifications were exchanged in August 1935, would automatically have been valid for a further five years after 1940, had it not been denounced by Japan in January of that year.

On 2 February 1940 the Japanese Minister in the Hague presented a memorandum requesting the opening of discussions for the lifting of existing import, export and immigration restrictions in the Netherlands Indies and the consideration of further measures to enable Japan to have a greater part in the development of that archipelago. This request had not yet been answered, when in May 1940,

a few days after the occupation of the Netherlands by Germany, another memorandum was presented to the Netherlands Government insisting on a speedy reply and further requesting a guarantee that the Netherlands Indies would in the future continue to supply Japan with specified amounts of certain war materials. A non-committal answer which, however, did not exclude further negotiations was handed to the Japanese Government in June and soon thereafter Japan made clear its intention to send an Economic Mission to the Netherlands Indies for direct negotiations. This Mission, consisting of some thirty delegates headed by the Minister of Commerce in the Second Konoye Cabinet, which was then in office, arrived in September 1940, a few days before the conclusion of the Tri-partite Pact.

One of the main objectives of the Mission, which included representatives both of the Army and the Navy, was to ensure a continuous flow of raw materials from the Netherlands Indies, both to strengthen Japanese war production and to provide Japan's partners under the Tri-partite Pact with materials essential for the prosecution of the war. Indeed, promises were made by Japan to Germany that rubber, tin and other materials would be obtained for her from the southern regions.

However, a more ambitious program had been drawn up, aiming at the domination of the whole of the Netherlands Indies through the latter's compliance with far reaching

Japanese demands. To quote an example, one of the most pressing Japanese needs was the acquirement of oil. Nevertheless, instructions were given that in the oil negotiations with the Netherlands authorities emphasis should be laid on the acquisition of oil concessions, rather than on the obtaining of the finished product. Close contact would have to be maintained with the military authorities in the selection of areas for these concessions, as these were intended to serve as bases for a military foothold in the Netherlands Indies.

A Cabinet decision of 25 October 1940 outlined an initial program for Japan's participation in the economic development of the Netherlands Indies, the subject on which the Economic Delegation was then negotiating in Batavia. It was decided that recognizing Japan's dominant position in the Netherlands Indies by virtue of the Tri-partite Pact, the first measures to be taken would be to liquidate the Netherlands Indies economic relations with the European and American continents; to remove the various existing restrictions on the economic activities of Japan so as to enable her to secure preferential treatment for herself; to arrange for the joint development by Japan and the Netherlands of the Netherlands Indies; to place under Japanese control the production and export of essential war materials; to place the exchange-control of the Netherlands Indies under Japanese guidance; to liquidate foreign

financial holdings in the Netherlands Indies; and to place the formulation and execution of all economic policies under the control of a joint Japanese-Netherlands Economic Commission. In general terms, it was added that all economic measures would be formulated from the broader viewpoint of establishing the Co-prosperity Sphere of Greater East Asia.

Meanwhile in Batavia, after initial negotiations concerning the more direct and pressing need to obtain for Japan the necessary exports of oil had taken place and the attempt to lease certain territories as oil concessions for Japan had failed, the above more general program was presented in the form of a long list of demands in January 1941. Foreign Minister MATSUOKA's speech including the Netherlands Indies in the Co-prosperity Sphere temporarily brought negotiations to a halt and caused the head of the Japanese Mission to warn MATSUOKA that, unless the utterances of the Japanese Government and the Japanese press became more moderate, the attempt to make the Netherlands Indies a part of the Co-prosperity Sphere through peaceful negotiations was bound to fail, in which case a resort to armed force would be inevitable.

Although the negotiations continued for several more months, it was clear that the Japanese demands could not be satisfied, as the Netherlands were unwilling to accord Japan any special privileges or to recognize any

dominant position of Japan in the southern regions. At the end of May 1941, the last Japanese and Netherlands memoranda were exchanged and, no agreement having been reached, Japan discontinued the negotiations in June and the Mission returned to Japan. The same month Foreign Minister MATSUOKA stated that no further negotiations would take place and that, before proceeding further against the Netherlands Indies, bases in French Indo-China would have to be secured.

In July the Japanese occupation of the southern part of French Indo-China took place, resulting in the freezing of all Japanese assets in the Netherlands Indies. From this time onward, no further trade was possible and commercial relations between Japan and the Netherlands Indies practically came to an end.

4. Japanese Subversive Activities in the Netherlands Indies:

An extensive system of espionage was built up by the Japanese in the Netherlands Indies many years before the outbreak of war between Japan and the Netherlands. A great part of the many thousands of Japanese residing in the Netherlands Indies, held closely under the control and supervision of the Japanese authorities through numerous local Japanese associations, took an active part in the gathering of information of military importance. Japanese consuls and consular agents saw in the collection and dispatch of this military information through diplomatic channels one of their main tasks and Japanese professional spies were attached as consular personnel to several Japanese consulates.

In addition to the activities of the Japanese residents and Japanese diplomatic personnel, the Japanese Army and Navy each had their own agents in the more important places in the Netherlands Indies. Special emphasis was laid on Japanese propaganda among the Chinese and Indonesian inhabitants of the Netherlands Indies, for which large sums were expended, and many Chinese agents were brought over from the Japanese occupied parts of China.

5. Preparation for War and Military Operations, July 1941 to March 1942.

From July 1941 onward it was clear that the resolve to continue the advance to the south, under any circumstances and against all obstacles, could only be effected through the actual exertion of military force. This in itself proved no deterrent to the Japanese plans. If in some quarters there was still a certain hesitation, it was caused through the realization that an advance into the Netherlands Indies and toward the South in general would involve Japan in a war with both the United States and Great Britain. All the preliminary moves had been made, the bases for the attack had been secured, it had been ascertained that the Netherlands authorities would not yield voluntarily to Japanese demands and also that the armed forces at the disposal of the Netherlands Indies would not by themselves be sufficient to withstand a full scale Japanese attack for long.

At the Imperial Conference of 6 September 1941 it was decided that, in view of the acute situation, the execution of Japan's southern advance policy necessitated a determination for war with the United States, Great Britain and the Netherlands by the middle of October,

should Japanese demands for a British-American guarantee not to strengthen their position in the South be rejected. In exchange Japan would be willing to guarantee the neutrality of the Philippines, but any mention of the Netherlands Indies was omitted.

I shall refrain from dealing again with the extensive preparations for the intended military conquest, as they have fully been brought to the attention of the Court in an earlier phase of the case. All plans provided for an attack upon the Netherlands simultaneously with the opening of hostilities against the United States and Great Britain. Occupation currency for the Netherlands Indies had been ordered as far back as January 1941 and the first deliveries had been made in March of that year. The so-called "Table Top Maneuvers" held in August 1941 by the Total War Research Institute went into great detail as to how and when to start a campaign against the Netherlands Indies and dealt extensively with the expected military operations, either against the Netherlands alone, or in conjunction with a general war in the Pacific. In September 1941 "war games" were held by the navy at the Navy War College and further careful plans were worked out by the army and navy in September and October. The Commander-in-Chief of all army units in the southern regions was appointed in October and navy units for the operations in the Netherlands Indies were selected. These plans were so

detailed as to specify that certain oil refineries in the Netherlands Indies would be administered directly by the Japanese Navy to cover its own needs.

After the Third Konoye Cabinet had been succeeded in October 1941 by the Tojo Cabinet, of which the accused KAYA, SHIMADA, SUZUKI and TOGO were members, the preparations were intensified and a general re-examination of all questions concerning the prospective war took place, such as the consideration whether an attack toward the south would be possible without directly involving the United States and Great Britain in the war.

At the Imperial Conference of 5 November 1941 it was decided to begin hostilities sometime after the 25th of November and it was planned to open new negotiations with the Netherlands Indies for the purpose of concealing and disguising the Japanese plans for an attack upon that country.

On 5 and 7 November 1941 Combined Fleet Top Secret Operation Orders Nos. 1 and 2 were issued, of which mention has been made before. Further plans provided for the establishment of a temporary military administration for the territories which were to be occupied until a definite decision regarding their future status could be made. Eventually, most of the southern areas were to be granted a certain degree of self-government under the control of Japan and outlines for these future measures were drawn up.

At the Imperial Conference of 1 December 1941 the final decision to declare war on the United States, Great Britain and the Netherlands was made. On 8 December 1941, Japan attacked and subsequently declared war upon the United States and Great Britain. No formal declaration of war by Japan on the Netherlands was made, or even contemplated, as according to Prime Minister TOJO, when discussing this question in the Privy Council, such a step would be undesirable for strategic reasons. However, in the light of the known facts, the Netherlands Government could harbor no doubt that the attacks on Pearl Harbor and Singapore were but a prelude to a military conquest of the Netherlands Indies. Accordingly, it recognized the existence of a state of war and formally declared war on Japan.

Meanwhile, on 2 December 1941 a new Cabinet Committee to consider measures for the economic control and exploitation of the shortly to be occupied southern regions had been set up under the Chairmanship of the President of the Planning Board, the accused SUZUKI, and the first report, containing general outlines of measures to be taken in this respect, was presented to the Cabinet on 12 December. Another plan of the same date for the military and political measures in the southern areas provided for the final disposal of all territories to be brought under the control of Japan.

In the months of November 1941 to February 1942 extensive reports were prepared by the Total War Research Institute on the same question, going into great detail concerning the measures to be taken in the political, military and economic fields over a long period of years to ensure for Japan the definite hegemony of the whole East Asia and adjoining regions.

On 12 January 1942, the first Japanese troops landed in the Netherlands Indies and the Japanese Government issued a declaration in which it regretted being compelled to wage a war caused by Netherlands aggression.

At the opening of the 79th Diet Session on 22 January 1942, Foreign Minister TOGO once again expressed his regret at having been forced into war by the Netherlands, but added at the same time that the aim of the war was the establishment of Greater East Asia under the leadership of Japan, for which purpose all areas of strategic importance would have to be grasped by Japan, since she was responsible for the safe-keeping of the Co-prosperity Sphere from infringement by third powers. This was reaffirmed by Prime Minister TOJO, who also laid down the fundamental principles on which the construction of Greater East Asia would be based. Commenting on the speeches, the German Ambassador was able to report to his government that these public announcements of the Prime and Foreign Ministers represented a now definitely

established program for the construction of the Greater East Asia Sphere, in which some regions would be retained by Japan, while others would, like Manchukuo, be granted nominal independence.

Meanwhile, the Japanese forces penetrated further into the Netherlands Indies. I already mentioned that one of the main concerns of the Japanese leaders was how to acquire the oil resources in the Netherlands Indies undamaged. Having occupied the first important installations on the Island of Tarakan, and finding the oil-wells destroyed, an ultimatum was sent to the Commander of the town of Balikpapan in Borneo, the center of one of the most important oil producing regions in the Netherlands Indies, stating that if the oil installations were not surrendered intact the whole white population would have to pay with their lives. Subsequently, the town was attacked by the Japanese, the oil wells were destroyed, and the white population rounded up and murdered.

On 1 March 1942 landings took place on the main island of the Netherlands Indies, the island of Java. Having approached the important town of Bandoeng in the center of the island, the Japanese thought that the time had come for final surrender. Rejecting the offer by the Netherlands authorities to surrender the town, the Japanese Commander-in-Chief avowed his intention to bomb and destroy the town, unless all

Netherlands forces capitulated. Further resistance having by this time become useless, the surrender took place under this Japanese threat, and with the occupation of Java completed, most of the remainder of the Netherlands Indies was occupied shortly afterwards.

6. Japanese Occupation and Consolidation of Japanese Conquests, March 1942 to August 1945.

To complete the picture of Japanese aggression and Japanese attempts to gain domination of a large part of the world, it is deemed fitting to present to the Tribunal a survey of the means by which Japan, under the guise of constructing a Sphere of Common Prosperity and Co-existence, attempted to achieve the annexation of the territories overrun by military aggression and their incorporation within a new Japanese Empire

In the presentation of the evidence on this subject, a survey will be given of the three and a half years of Japanese rule in the Netherlands Indies, whereby events on the main island of the East Indian Archipelago, the Island of Java, will be dealt with in some detail. Although comparatively small in area, this island, even more densely populated than Japan itself, comprises nearly 30% of the total population of all the Southern Territories which came under the domination of Japan, including Burma, Thailand, French Indo-China, Malaya, the Philippines and the Netherlands Indies. It is highly developed as regards both industry and agriculture and for these reasons may be considered one of the most important of the Japanese conquests.

However, it must be stressed that developments in other countries occupied as the result of Japanese aggression were not basically different from those in Java, or in the rest of the Netherlands Indies. Local variations on the same theme there were; but the basis of the Japanese occupation policy was the same everywhere, and was always coordinated with Japan's aims of expansion and domination.

Mention has been made of Japanese plans drawn up before the Japanese conquest of the Southern Regions had been effected, or even before the outbreak of the War in the Pacific. These plans, based on the permanent retention of the fruits of Japanese conquest, dealt with the final disposal of territories to be seized by Japan and with the measures necessary for the achievement of that end. Furthermore, Prime Minister TOJO, in his aforementioned speech at the 79th Session of the Diet on 22 January 1942, had stated publicly that Japan would in the future dominate Greater East Asia.

Had these plans and declarations prior to the Japanese occupation left any doubt concerning Japan's aim to achieve the domination of East Asia and make the different countries thereof subservient to herself, this doubt would soon have been dispelled by the actual policies followed by Japan in her rule of the occupied territories.

The first measures to be taken after the occupation was effected, were to eradicate the existing forms of government and to sever all contacts with Western influence and the outside world. All government officials of Western origin were dismissed and interned, to be followed soon by the rest of the Occidental population, women and children included. This mass internment and strictly enforced isolation from the outside world gave free rein to Japanese propaganda, which immediately monopolized all means for disseminating information. The territory of the Netherlands Indies was split up into various parts, some being placed under the military administration of the Army, some under the Navy. The existing Government Departments were abolished and replaced by centralized Japanese Army and Navy executive bodies, staffed by Japanese personnel.

All representative advisory and legislative councils were dissolved. An entirely new system of local government along autocratic Japanese lines was introduced. All existing law courts were abolished and replaced by a Japanese judiciary, administering differently conceived principles of law, unacceptable according to democratic standards. All political parties were dissolved and all political activities forbidden.

Immediately a strangle-hold was laid upon the economic structure of the country. As a first measure all existing banks, including the Central Bank, were closed down,

liquidated, and replaced by Japanese banks. All Western-owned agricultural enterprises and all public utilities were taken over by the Japanese authorities, who exploited them directly or allotted them to Japanese government-controlled or private companies. Wide-scale confiscation of private property took place, either with a nominal or without any compensation. All further economic activity was controlled by the Japanese authorities by uniting those who took part in the economic life of the country, e.g., farmers, traders, manufacturers, etc., within autocratically directed organizations. By these measures Japan achieved a thorough exploitation of the country to strengthen the Japanese war machine and to enrich herself and those of her nationals who participated in it, thereby causing hardship, poverty and hunger to the entire population. Hundreds of thousands were deported as slave-laborers for the Japanese Army and the greater part of these victims perished through lack of food, shelter and medical attention.

Immediate action was also taken in the field of education. One of the first acts of the Japanese was to close all schools, which were only partially reopened after the curriculum had been thoroughly revised and restricted: the teaching of Japanese language and customs became obligatory; the teaching of other foreign languages was prohibited; Japanese history replaced the teaching of general history;

the boundaries of the world were narrowed down to those of the Greater East Asia Co-prosperity Sphere. Soon one central 'Youth Movement' was established in which young men between the ages of 14 and 25 were to take part, and which aimed at the development of a militaristic spirit and the imbuing of the younger generation with veneration for Japan.

Through the creation of this and other centrally directed movements, the whole social structure was brought under rigid Japanese control and the way was paved for the inculcation of a totalitarian spirit, a desire for war, cruelty, and hatred of the West. In the religious field, efforts were made to induce the Mohammedan religious leaders to declare the war for Greater East Asia a 'holy' war for all Moslems. At the same time, the system of Emperor worship was rigidly enforced, and all who had any official or semi-official function had to swear eternal allegiance to Japan.

Through these and other measures, the execution of which was enforced by means of a greatly expanded police force, trained in Japanese police methods and by a reign of terror of the notorious Japanese Military Police, a thorough Japanization in all branches of society in the Netherlands Indies was accomplished in little more than one year.

Apart from the establishment of Japanese rule, the

future formal status of the several occupied territories, which were under the military administration of the Army and the Navy, had to be settled. To achieve the Japanese aim of domination of East Asia, two ways were open. Firstly, it was possible to annex the occupied areas outright and have them ruled directly by Japan, whether or not with a certain degree of nominal self-government. Secondly, some or all of the occupied areas might sooner or later be given a semblance of independence by creating puppet-regimes under Japanese control. In any case, the final supervision and direction over all areas would remain in Tokyo, for which purpose in November 1942 the Greater East Asia Ministry was set up, which, it was intended, should regulate both the internal and external affairs of all countries within the Greater East Asia Co-prosperity Sphere.

In the middle of 1943 the first measures were initiated for the execution of this policy. Burma and the Philippines were granted nominal independence, but no such step was taken in regard to the Netherlands Indies. General Staffs of both the Army and the Navy, who were each responsible for the administration of part of the archipelago, were strongly opposed to the granting of any degree of self-government despite pressure in this direction from local army authorities. Accordingly, it was decided that the Netherlands Indies would continue to be ruled directly by

Japan. However, were Japanese claims to have liberated the country from American, British and Netherlands oppression not to remain wholly unsubstantiated, some concessions would have to be made to the inhabitants, from whom active participation in the Japanese war effort was exacted.

Consequently, in his speech at the 82nd Session of the Diet in June 1943 Prime Minister TOJO promised the population of the Netherlands Indies a certain degree of participation in the government of these islands. However, this participation, when put into effect, proved to be of no actual significance and fell far short of the political rights enjoyed by the population before the Japanese occupation.

As the war progressed, however, and Japan's position became precarious, more demands had to be made on the inhabitants of the occupied regions to strengthen the Japanese war effort. For that purpose, it became necessary on the one hand to continue the policy of making even wider promises and on the other to strengthen the Japanese hold on the life of the country.

In November 1943, an Assembly of Greater East Asiatic nations was held in Tokyo. There, representatives of the various Japanese puppet-governments heard Prime Minister TOJO declare that the nations of Greater East Asia would have to stand together and defend themselves jointly against their common enemies. After reaffirming their

adherence to Japan and their faith in Japanese leadership for Greater East Asia, the Conference adopted a 'Greater East Asia Declaration', which called for a common effort by all Asiatic peoples in the prosecution of the war.

The Netherlands Indies, being under direct Japanese rule, were not represented at this meeting of so-called free nations; nevertheless increased efforts were made by the Japanese authorities to achieve the regimentation of the whole population for the furtherance of the Japanese war effort and to induce or coerce the male population to join the military organizations which were to assist the Japanese armies.

In July 1944, the war situation having become increasingly grave, the TOJO Cabinet went out of office, and was replaced by a new Cabinet under the accused KOISO as Prime Minister, while the accused SHIGEMITSU, who had already been Foreign Minister in the TOJO Cabinet since April 1943, remained in that post and became concurrently Minister for Greater East Asia. One of the first moves of the new Cabinet, under further pressure from local army authorities, was to revise the Japanese policy regarding the Netherlands Indies. Communications between Japan and the Southern Regions had become endangered, and it was now necessary to make further efforts to ensure full cooperation from the local population. Accordingly, Prime Minister KOISO, in his

speech before the 85th Session of the Diet on 7 September 1944, promised future independence to the Netherlands Indies. No further details were given, however, as to how, when, and to what extent, independence would be granted and, indeed, even at this stage there was no intention to take definite steps in that direction.

The main purpose of the Japanese promise was to induce the population to assist to the utmost in the Japanese war effort by stimulating their nationalistic feelings. Definite instructions as to the policy which the local Japanese authorities should follow to this end were sent from Tokyo. One of the measures taken was the training of the entire population to participate in anticipated Japanese guerilla warfare.

During the winter of 1944 and the spring of 1945, the war situation became increasingly grave for Japan. With the loss of the Philippine Islands, lines of communication between Japan and the Southern Regions became entirely disrupted. It was not until May 1945, however, when it was apparent that the war could not be protracted much longer, that orders were given by the Japanese Government to initiate measures for the granting of independence, while in July of that year instructions were issued for their further acceleration.

Preparations had hardly started, however, when on 14 August 1945, Japan surrendered. Regardless of this new situation, the Japanese saw to it that a Japanese fostered state would still be established. During one frantic week, while the news of the surrender was being kept secret, the necessary preparations were made and the independence proclaimed. On 22 August 1945, the news of the Japanese surrender was published and the Japanese Commander-in-Chief in Java stated in a farewell message to the population that Japan would now have to leave the Southern Regions, but that eternal friendship between Japan and the people of the new-born state had been immutably established.

These then are the main outlines of the development of Japanese aggression against the Netherlands, and of Japanese attempts to hold on to the fruits of this aggression and secure the domination of the countries of the South Seas until the very last.

With the permission of the Court, we are now prepared to proceed with the presentation of the evidence. In this task I will be assisted by Mr. G. Osmond Hyde, Special Assistant to the Attorney General of the United States, and by my associates Lt. Colonel J. S. Sinnighe Damste, Mr. A.-T. Leverage and Mrs. C. R. Strooker.